

## Newark Avenue Pedestrian Mall Operating Plan

*Last Update: July 13, 2018*

*This plan shall be maintained by the Jersey City Business Administrator and the most recent version shall always be posted on the Pedestrian Mall web page ([www.jerseycitynj.gov/PedestrianMall](http://www.jerseycitynj.gov/PedestrianMall)).*

### **Definitions.**

*“Newark Avenue Pedestrian Mall” or “Pedestrian Mall” or “Mall”:* The street surface area of Newark Avenue from Grove Street to Erie Street and from Barrow Street to Jersey Avenue.

*“Eastern Section”:* The Mall area between Grove Street and Erie Street.

*“Western Section”:* The Mall area between Barrow Street and Jersey Avenue.

*“Grove Street PATH Station Plaza” or “PATH Plaza” or “Plaza”:* The street surface of Newark Avenue from Christopher Columbus Drive to Grove Street, directly adjacent to the Grove Street PATH station entrance and also Duane Reade.

### **I. PATH Plaza**

- a. The PATH Plaza shall not be included in any of the policies and procedures referenced herein with the exception of vehicular traffic limitations as noted in the enabling ordinance and in section I of this operating plan, and also Mobile Food Vendor regulations as noted in section X of this plan. Any/all special events and/or activities occurring in the PATH Plaza shall continue with no changes.

### **II. Vehicular Access**

- a. The Pedestrian Mall and the PATH Plaza shall be limited at all times to pedestrians and also the following types of permitted vehicles: emergency, public works, waste removal, other maintenance and service vehicles, vehicles performing deliveries, pickups and/or drop-offs of business patrons or employees, and/or other loading and unloading of personnel, materials, or other goods to be used directly or indirectly by a business and/or residence along the Pedestrian Mall and/or PATH Plaza (“permitted vehicles”).
- b. Permitted Vehicles may only enter the Pedestrian Mall between the hours of 10:00 a.m. and 3:00 p.m., Monday through Friday, and between the hours 10:00 a.m. and 1:00 p.m. Saturday and Sunday.**
- c. Permitted Vehicles specific to waste removal operations may only enter the Pedestrian Mall between the hours of 2:00 a.m. and 7:00 a.m., Monday through Sunday.**
- d. Permitted Vehicles may only enter the Pedestrian Mall for a **period of up to 30 minutes.**

- e. Permitted Vehicles must not remain stationary in any portion of the Pedestrian Mall except along curbs (not in the middle travel lane).
- f. Permitted Vehicle size is limited to any vehicle with 2 axles or less.
- g. Permitted Vehicles may travel at speeds up to **5 miles per hour** (M.P.H.).
- h. Vehicles that require access for periods longer than 30 minutes and/or after the approved access hours must receive a permit from the Division of Engineering, Traffic & Transportation.
- i. There shall be no limit of vehicular use on either Grove Street, Christopher Columbus Drive, Jersey Avenue, or Erie Street.
- j. Permitted vehicles shall enter the Pedestrian Mall only from Grove Street in the Eastern Section of the Mall and from Barrow Street in the Western Section of the mall, and must travel one-way Westbound at all times, except if/when planters or other vehicle barriers prohibit this vehicle movement.
- k. Permitted vehicles shall enter the PATH Plaza only from Manilla/Grove Street and **shall back in only**.
- l. Permitted vehicles shall enter the portion of Bay Street between Erie and Newark Ave only from Erie Street and **shall back in only**.
- m. Careless and/or reckless vehicle operation that threatens the safety of pedestrians in or around the Pedestrian Mall and/or the PATH Plaza, including but not limited to vehicle speeds over 5 M.P.H., utilizing the street as a through lane, abrupt turns or sudden vehicle movements, utilizing the Pedestrian Mall and/or PATH Plaza for uses other than as described herein, and blocking pedestrian and/or emergency vehicle access will be subject to applicable traffic summonses and/or may also result in revocation of vehicle access permits (see section h).
- n. The City of Jersey City reserves the right to revoke any vehicle access permit or to further restrict traffic in and around the Pedestrian Mall at any time.

### **III. Pedestrian Mall Access Lane and Loading Zones**

- a. At least one 15-foot-wide span of the street surface shall remain clear of all permanent and/or temporary Pedestrian Mall features in order to allow for safe access for emergency vehicles and other permitted traffic. This Access Lane shall not be utilized as a through lane or for any other vehicle travel purpose not specifically approved in this plan. This lane shall not be marked as a travel lane or have any other noticeable markings so as to avoid confusion that the Pedestrian Mall may be used for general vehicle traffic purposes.
- d. Specific areas around the Pedestrian Mall shall be designated as loading zones. These loading zones shall be a minimum length of 20 feet and shall remain clear of permanent and temporary Mall features.
- e. Traffic will not be permitted to remain stationary in any areas not designated as loading areas of the Mall Zone or else in the Access Lane.

#### IV. Pedestrian Mall Features

- a. Any permanent and/or temporary Pedestrian Mall features, including but not limited to planters, tables, chairs, umbrellas, pianos, benches, and other barriers, shall be installed and maintained only by the City of Jersey City.
- b. Open flames, light emitting devices, heavy machinery or other gas-powered devices, and food preparation or food storage devices (including but not limited to refrigerators, freezers, stoves, microwaves, portable burners, and/or hot plates) will not be allowed within 50 feet of any Pedestrian Mall boundary or within the Pedestrian Mall during sanctioned events or any other time.
- c. All items placed in the Pedestrian Mall are the property of the City of Jersey City and the use of these features is at the discretion of the City of Jersey City.

#### V. Non-motorized vehicles

- a. Any person(s) operating any non-motorized vehicle, including but not limited to bicycles, skateboards, scooters, or rollerblades, must exercise extreme caution when utilizing the Pedestrian Mall.
- b. The maximum speed of non-motorized vehicle travel within the Pedestrian Mall is 5 miles per hour (M.P.H.).
- c. Careless and/or reckless non-motorized vehicle operation that threatens the safety of pedestrians in or around the Mall, including but not limited to speeds over 5 M.P.H., aggressive or intimidating activity, or any other operation or behavior that could be deemed dangerous for other Pedestrian Mall patrons will be subject to removal from the Pedestrian Mall and to additional penalties allowed by law, if applicable.

#### VI. Public Safety

- a. Any person(s) creating undue amounts of noise, waste, and/or a potentially dangerous or threatening environment for any Pedestrian Mall patrons will be subject to removal from the Pedestrian Mall and to additional penalties allowed by law, if applicable.
- b. No person may loiter in the Mall between the hours of 11:00PM and 6:00AM, whether or not that person is making use of any Pedestrian Mall public seating, fixtures, or any other Pedestrian Mall features. Any person in violation of this section will be subject to removal from the Pedestrian Mall in addition to any other penalties allowed by law.
- c. **A permanent police post of one or more officers will be assigned whenever manpower allows and during high pedestrian volume times.** Posts will be assigned to the area at the discretion of the Department of Public Safety and the City Administration, which will make a good faith effort to respond to any concerns noted by the public.

- d. The Jersey City Department of Public Safety will provide directed patrols throughout the Pedestrian Mall as needed and as directed by the Department of Public Safety and the City Administration.
- e. **All businesses serving alcoholic beverages and with an entrance and/or exit within the boundaries of the Pedestrian Mall must have a security guard on duty at the entrance(s)/exit(s) of the business at least between the hours of 11:00 PM until business closing time on Thursday, Friday, and Saturday evenings.**
- f. Minors shall be subject to the rules and regulations regarding curfews as noted in § 137-1. et seq.

#### **VII. Events and activities**

- a. In addition to other applicable rules and restrictions, all events and other activities held within the Pedestrian Mall are subject to approval pursuant to any applicable special event permit rules and regulations and also by the Jersey City Office of Cultural Affairs. Regulations governing such events are subject to the standard regulations for standard public events and the limitations set forth in the Municipal Code.
- b. The Office of Cultural Affairs will provide additional oversight and make a good faith effort to ensure the number and variety of events is evenly distributed over time in order to prevent an undue burden on the local residents and/or local businesses.
- c. The Office of Cultural Affairs will notify the Historic Downtown Special Improvement District and the Harsimus Cove Neighborhood Association, when applicable and relevant, of any requests for events within the Pedestrian Mall and Cultural Affairs will collaborate with the HDSID to ensure appropriate event planning.
- d. Events may be held within the Pedestrian Mall during the hours of 10:00AM to 9:00PM, Monday through Sunday.
- e. **Amplified music or other amplified sounds shall not be allowed within the Pedestrian Mall or within 50 feet of any Pedestrian Mall boundary** (not including the Grove PATH Station Plaza), **with certain exceptions** permitted for events approved by the Office of Cultural Affairs and in accordance with the requirements set forth here. Any other limits on music or noise (including, without limitation, maximum permitted decibel levels) that would otherwise be applicable to this portion of Newark Avenue with or without the establishment of the Mall shall remain in full force and in effect within this area.
- f. No more than 1 total event per month shall be permitted to occur within the Pedestrian Mall that includes more than 50 anticipated attendees.

- g. No exceptions for the above mentioned rules will be granted for city sponsored events.
- h. This operating plan does not regulate any events in the PATH Plaza.

### VIII. Food and Beverage Service

- a. **Sidewalk cafés will be permitted on sidewalks adjacent to the Pedestrian Mall and in accordance with the municipal sidewalk café rules and regulations as noted in § 296-80 et seq.**
- c. Alcoholic beverage service is permitted in sidewalk cafés and must be provided in accordance with sidewalk café license rules and regulations.
- d. Pedestrian Mall patrons are permitted to carry and consume food and/or beverages anywhere within the Pedestrian Mall with the exception of alcoholic beverages.
- e. **Alcoholic beverages are not permitted to be consumed and/or open in any areas of the Pedestrian Mall**, except within permitted sidewalk cafés, and except during a limited number of approved and permitted events.
- f. Alcoholic beverages not provided by a business directly adjacent to any Pedestrian Mall boundary and/or from an approved vendor during an approved and permitted event are prohibited to be consumed and/or open in any areas of the Pedestrian Mall including sidewalk cafés.
- g. **All rooftop areas of bars and/or restaurants must close at 12:00 Midnight every day of the week.** Food and beverage operations may continue in any fully-enclosed portion of the business until the regularly established closing time, in accordance with all existing laws regarding the service of food and alcoholic beverages.

### IX. Waste Removal and Maintenance

- a. **Waste shall not be placed anywhere within the Pedestrian Mall between the hours of 8:00AM and 10:00PM**, Monday through Sunday. Exceptions will be made for businesses that close before 10:00PM, which will be encouraged to place waste on the curb as close to 10:00PM as possible.
- b. **Waste removal operations shall take place between the hours of 2:00AM and 7:00AM.**
- c. The Department of Public Works will continue normal waste removal operations and the implementation of a Pedestrian Mall shall not disrupt any prior waste removal operations.
- d. All businesses within the Pedestrian Mall must have all waste removed from the entirety of the Pedestrian Mall by 8:00AM every morning.
- e. Businesses are encouraged to enter into a joint contract for waste removal services or else are encouraged to find alternate means to minimize the number of waste removal vehicles entering the Pedestrian Mall on any given day.

- f. The City and the Jersey City Department of Public Works will collaborate with the Historic Downtown Special Improvement District (HDSID) to ensure the Pedestrian Mall will remain clean of waste and other debris.
- g. The City of Jersey City will be responsible for maintenance of the Pedestrian Mall and all Pedestrian Mall Features.
- h. Street sweeper and plowing operations will be modified to accommodate installation of Pedestrian Mall features.

**X. Mobile Food Vendors**

- a. Mobile Food Vendors must abide by all regulations as noted in § 175-9.3. et seq.

**XI. Planning and Implementation**

- a. The City solicited feedback from the following people/groups/entities in the planning and implementation process:
  - i. Councilwoman Osborne
  - ii. Councilman Solomon
  - iii. Jersey City Mayor’s Office
  - iv. Jersey City Fire Department
  - v. East District Police Department
  - vi. Department of Public Safety
  - vii. Jersey City Medical Center EMS
  - viii. Department of Administration
  - ix. Cultural Affairs
  - x. Division of Commerce
  - xi. Division of Planning
  - xii. Traffic and Engineering
  - xiii. Jersey City Incinerator Authority (HCIA)
  - xiv. Department of Public Works
  - xv. Historic Downtown Special Improvement District (HDSID)
  - xvi. Individual local downtown businesses
  - xvii. Harsimus Cove Association
  - xviii. The general public
  - xix. Jersey City Corporation Counsel
  - xx. Department of Health and Human Services
  - xxi. NJ Transit
  - xxii. Jersey City Division of Parking
  - xxiii. Sam Schwartz Transportation Planning and Engineering (solicited design proposal)
- b. The City will continue to solicit feedback and information regarding implementation and operation of the Pedestrian Mall and if appropriate, will make changes and revisions to the operating plan and also if appropriate the enabling ordinance.

## **XII. Implementation**

- a. The City will introduce a sample pilot version of any proposed Pedestrian Mall areas and/or extensions/expansions in an effort to demonstrate the actual look and feel of the physical layout of the Pedestrian Mall. Any deviations from the pilot version will be at the discretion of the City with feedback from the public, local businesses, and any other relevant stakeholders.
- b. Traffic or other vehicle related violations or summonses may be waived within the first 3 months after any ordinance takes effect (“grandfather period”), depending on circumstances of the violation. The grandfather period does not apply to any other quality of life, public safety, other public nuisance, or operational regulations and/or restrictions.